



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, बुधवार, 2 जुलाई, 2014 / 11 आषाढ़, 1936

हिमाचल प्रदेश सरकार

HEALTH & FAMILY WELFARE DEPARTMENT

NOTIFICATION

Shimla-2, the 17th May, 2014

No. Health-A-A(4)-2/2008.—In supersession of this department notification of even number dated 16-06-2009 and in exercise of the powers conferred in Section -16-A(1) of the Pre-Natal Diagnostic Techniques(Regulation and Prevention of Misuse) Act, 1994, the Governor, Himachal Pradesh is pleased to constitute a State Supervisory Board to review the activities and create public awareness.

2. The constitution of the Board shall be as under:—

Official Members(Ex-Officio):-

1. Minister-in-Charge of Health & Family Welfare	Chairman
2. Secretary-in-Charge, Health & Family Welfare to the Government of Himachal Pradesh.	Vice-Chairman
3. Secretary or Commissioner-in-Charge , Social Justice and Empowerment to the Government of Himachal Pradesh.	Member
4. Pr. Secretary(Ayurveda)to the Govt. of Himachal Pradesh or his representative	Member
5. LR-cum-the Secretary-in-Charge(Law)to the Govt. of H.P. or his representative.	Member
6. Head of Department of OBG, IGMK/KNH, Shimla	Member
7. Head of Department Paediatrics, IGMK, Shimla	Member
8. Head of Department of Radiology, IGMK, Shimla	Member
9. Director of Health Services, H.P., Shimla	Member Secretary

NON- OFFICIAL MEMBERS:-

1. Smt. Asha Kumari, Hon'ble MLA	Member
2. Smt. Viplove Thakur, Hon'ble MP	Member
3. Smt. Krishna Mohini, Ex- MLA	Member
4. Smt.Satya Kapoor, Engine Ghar,Sanjauli, Shimla-6.	Member
5. Smt. Alakhnanda Handa, Advocate, District Court, Mandi	Member
6. Dr. Kshama Metre(Padamshree Awardee), National Director, CORD Training Centre, Sidhbari, District Kangra, H.P.	Member
7. Dr. Narender Sharma,(WHO Awardee), Executive Director, Himachal Pradesh Voluntary Health Organization, New Shimla.	Member
8. Dr. Sita Thakur, Prof. of Gynecology, Dr. RPGMC Tanda, Distt. Kangra.	Member
9. Dr. Kumud Gupta, C-20, Sector-I, Lane-IV, Phase-I, New Shimla	Member
10. Dr. Sanjeev, Prof. & Head, Department of Pediatrics, Dr. RPGMC, Tanda, District, Kangra	Member
11. Dr. Ashwani Sood, Professor of Pediatrics, IGMK, Shimla.	Member
12. Dr. Ram Gopal Sood, Prof, & Head, Department of Radiology, IGMK, Shimla.	Member
13. Dr. Yashpal Sharma, Prof. & Head, Department of Radiology, Dr. RPGMC Tanda, Distt. Kangra.	Member

3. The functions of the State Supervisory Board shall be as under:—

- (i) To create public awareness against the practice of Pre-Conception, Sex Selection and Pre-Natal Determination of Sex of the fetus leading to Female Foeticide in the State.
- (ii) To review the activities of the Appropriate Authorities functioning in the State and recommend appropriate action against them.
- (iii) To monitor the implementation of provisions of the Act and rules and make suitable recommendations relating thereto, to the Board.
- (iv) To send such consolidated reports as may be prescribed in respect of the various activities undertaken in the State under the Act to the Board and the Central Government and ;
- (v) Any other functions as may be prescribed under the Act.

4. The term and conditions of the State Supervisory Board shall be as under:—

- (i) The State Board shall meet at least once in four months.
- (ii) The term of office of a member, other than an Ex- officio member shall be three years.
- (iii) If a vacancy occurs, in the office of any member other than an Ex- officio member, it shall be filled by making fresh appointment.
- (iv) If a member of the Legislative Assembly, or Member of the Legislative Council, who is a member of the State Board, becomes Minister or Speaker or Deputy Speaker of the Legislative Assembly or Chairperson or Deputy Chairperson of the Legislative Council, she shall cease to be a member of the State Board.
- (v) One third of the total number of the Members of State Board shall constitute the quorum.
- (vi) The State Board may co-opt a member as and when required, provided that the number of co-opted Members does not exceed one third of the total strength of the State Board.
- (vii) The Co-opted Member shall have the same powers and functions as other members except the right to vote and shall abide by the Rules and Regulations.
- (viii) In respect of matters not specified in this Section, the State Board shall follow procedures and conditions as are applicable to the Board.

By order,
VINEET CHAUDHRY,
Addl. Chief Secretary.

राजस्व विभाग

अधिसूचना

शिमला-2, 1 जुलाई, 2014

संख्या: रैव0बी.ए.(3)3/2013.—हिमाचल प्रदेश की राज्यपाल, हिमाचल प्रदेश अभिवृत्ति और भूमि सुधार अधिनियम, 1972 (1974 का अधिनियम संख्यांक 8) की धारा 122 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, समय समय पर यथासंशोधित हिमाचल प्रदेश टैनेन्सी एण्ड लैंड रिफॉर्मज़ रूलज़, 1975 का और संशोधन करने के लिए निम्नलिखित नियम बनाने का प्रस्ताव करती हैं और इन्हें पूर्वोक्त अधिनियम की धारा 123 के अधीन यथा अपेक्षित, जनसाधारण की सूचना के लिए एतद्वारा प्रकाशित किया जाता है;

कोई हितबद्ध व्यक्ति जो प्रस्तावित संशोधनों की बाबत कोई आक्षेप (आक्षेपों)/सुझाव (सुझावों) देना चाहे, तो वह उसे/उन्हें इन नियमों के राजपत्र(ई-गजट), हिमाचल प्रदेश में प्रकाशन की तारीख से तीस दिन की अवधि के भीतर, प्रधान सचिव(राजस्व), हिमाचल प्रदेश सरकार, शिमला-171002 को भेज सकेगा;

उपरोक्त विनिर्दिष्ट अवधि के भीतर प्राप्त हुए आक्षेप(आक्षेपों)/सुझाव (सुझावों), यदि कोई है/हों, पर इन नियमों को अन्तिम रूप देने से पूर्व सरकार द्वारा सम्यक् रूप से विचार किया जाएगा, अर्थात् :—

प्रारूप नियम

1. संक्षिप्त नाम.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश टैनेन्सी एण्ड लैंड रिफॉर्मज़ (अमेंडमेंट) रूलज़, 2014 है।

2. **नियम 38—A का संशोधन.**—हिमाचल प्रदेश टैनेन्सी एण्ड लैंड रिफॉर्मज रूलज़, 1975 (जिन्हें इसमें इसके पश्चात् “उक्त रूलज़” कहा गया है) के रूल 38—A में,—

(क) सब—रूल (1) के पश्चात् निम्नलिखित प्रोवाइजो अन्तःस्थापित किया जाएगा; अर्थात्:—

“Provided that where land is proposed to be acquired for industrial unit which has been approved by the State Level Single Window Clearance and Monitoring Authority, the Director Industries shall forward such cases to the State Government for consideration alongwith Essentiality Certificate showing the location and area of land proposed to be acquired. The cases of plots falling in industrial estates or areas developed by the Industries Department or Himachal Pradesh State Industrial Development Corporation shall be dealt with in the like manner.”;

(ख) सब—रूल (2) में,—

(i) क्लॉज (b) के पश्चात् निम्नलिखित प्रोवाइजो अन्तःस्थापित किया जाएगा; अर्थात्:—

“Provided that the applications for setting up of industrial unit, shall be considered and decided by the State Government within 15 days.”;

(ii) क्लॉज (b) के पश्चात् निम्नलिखित नया क्लॉज (b-1) अन्तःस्थापित किया जाएगा; अर्थात्:—

“(b-1) On receipt of applications from the Director Industries, under proviso to sub-rule (1), the State Government shall consider and decide such applications within 15 days. If application is allowed, the sanction shall be conveyed to the Collector concerned with a copy to the Director Industries and the non-agriculturist concerned. On receipt of sanction, the non-agriculturist shall apply to the Collector concerned on Form LR-XIV alongwith relevant documents specified in Part-II thereof and the Collector shall examine the same under the provisions of section 118 of the Act, and if deems fit, he shall issue sanction giving therein the particulars of land, with a copy to the State Government for information. If the Collector comes to the conclusion that permission is not to be granted, he shall refer back the matter to the State Government alongwith detailed reasons for reconsideration. In any case the Collector shall clear such cases within a period of seven days from the date of receipt of all documents specified under these rules and thereafter the State Government shall again consider and decide the case accordingly.”;

(ग) सब रूल (3) के स्थान पर निम्नलिखित सब—रूल रखा जाएगा; अर्थात्:—

“(3) The permission under sub-rule (2) may be granted for any of the following purposes and subject to such scales, eligibility and conditions as specified against each purpose:—

Sl. No.	Purpose	Area	Conditions on transferor(s)	Eligibility of transferee (s)	Other conditions
1	2	3	4	5	6
1.	For agriculture or horticulture purpose or for both purposes	An area not exceeding 4 acres only in rural area.	Shall not become landless/ houseless.	That the person is qualified to undertake such activity, to be certified by concerned department as per criteria laid down by that department.	As per proforma for Essentiality Certificate and Check list appended to these rules as Form LR-XV.

2.	For building residential house.	Upto 500 square metres.	Shall not become landless/ houseless.	<p>1.(a) A person who on the commence-ment of this Act worked and continues to work for gain in an estate situated in Himachal Pradesh.</p> <p>(b) A person working in the State for more than 30 years recommended by concerned local body for grant of permission.</p> <p>(c) Permanent Government Employees (Both State and Central Government including autonomous bodies, corporation which are substantively financed by them).</p> <p>2. Padma Award/ Gallantry Award Winners.</p> <p>3. Other persons subject to the satisfaction of the Government regarding the necessity and desirability for such permission after careful evaluation of the merit of each case.</p>	Recommendations of Deputy Commissioner.
3.	Built up building or part thereof for residential purpose	Upto 500 square metres.	In case transferor is an agri-culturist he shall not become landless/ houseless.	Any citizen of India including an OCI (Overseas Citizen of India) and legal entity registered in India under any law for the time being in force.	Recommendations of Deputy Commissioner.
4.	For construction of shop.	Upto 300 square metres.	Shall not become landless/ houseless.	<p>(a) A person who on the commencement of this Act worked and continues to work for gain in an estate situated in Himachal Pradesh.</p> <p>(b) A person working in the State for more than 30 years recommended by concerned local body for grant of permission.</p>	Recommendations of Deputy Commissioner.

5.	For industrial/ religious/ tourism/ apartment/ hydel project/BT/ IT project, purpose	Such area as may be certified by the Department concerned.	Shall not become landless/ houseless.	That the person is qualified to undertake such activity, to be certified by concerned departments per criteria laid down by that department.	As per proforma for Essentiality Certificate and Check list appended to these rules as Form LR-XV.
6.	For socially useful activities i.e. old age home, gausadan, health related activities, orphanages, education related or related to creation of sports facilities, etc.	Such area as may be certified by the department concerned.	Shall not become landless/ houseless.	That the person is qualified to undertake such activity, to be certified by concerned department as per criteria laid down by that department.	As above.
7.	Public use facilities normally undertaken for profit i.e. shopping malls, office complex, garage, cold storages, service stations, petrol pumps etc. and any other activity not covered above.	Such area as may be certified by the Department under whose control the activity falls.	Shall not become landless/ houseless.	That the person is qualified to undertake such activity, to be certified by concerned department as per criteria laid down by that department.	As above.

Provided that the permission granted under this rule shall be valid for a period of one year from the date of issue of the orders of the State Government granting such permission:

Provided further that the State Government may for reasons to be recorded in writing, extend the said period.”.

3. फार्म LR-XIV का संशोधन.—उक्त रूलज से संलग्न फार्म LR-XIV के PART-II के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“PART-II

(DOCUMENTS TO BE ENCLOSED WITH THE APPLICATION FOR PERMISSION)

- (1) Latest copy of Jamabandi and tatima shajra.
- (2) Copy of agreement entered into by the transferor and transferee.
- (3) Affidavit of the transferor stating that he, after the proposed transfer, will not become landless, and if so he will not claim any benefit/land under any scheme prepared for the benefit of landless persons in the State.

- (4) No objection of all the co-sharers/tenants of the land proposed to be transferred in case of a joint holding where a particular Khasra No. or part thereof is proposed to be transferred in the form of affidavit stating that he/she has no objection in case land is transferred to proposed transferee. This affidavit will not be required in any case of transfer of a share in an entire joint holding.
- (5) In case of application under serial number (2) (3) or (4) of sub-rule (3) of rule 38-A, proof of being an eligible applicant:—
- (i) for purpose at serial number 2 and eligibility below column number 5 in items 1. (a) & (b) and for purpose at serial number 4 certificate may be issued by a Naib-Tehsildar/Tehsildar/SDM/ADM/ADC/DC having jurisdiction over the area.
 - (ii) for purpose at serial number 2 and eligibility below column number 5 in item number 1. (c) in addition to (i) above, a Certificate from the department concerned.
 - (iii) for purpose at serial number 2 and eligibility below column number 5 in item number 2, an attested copy of Award/certificate.
 - (iv) for purpose at serial number 2 and eligibility below column number 5 in item number 3, the documents as may be asked by the Government for its satisfaction regarding the necessity and desirability to evaluate merit for such permission.
 - (v) In case of any other applicant, Essentiality Certificate from the concerned department.
 - (vi) In case of non-agriculturist seeking to sell any land or building purchased after obtaining permission under section 118, proof of utilization for the purpose for which permission was obtained from relevant department or local body concerned within the period allowed for utilization.
- (6) Notwithstanding anything contained above, for setting up an industrial unit only the following documents need to be attached with the application form:—
- (i) Latest copy of Jamabandi
 - (ii) Tatima shajra.
 - (iii) Affidavit of the transferor stating that after the proposed transfer of land for the proposed industrial unit, he/she will not become landless, and even if so he/she will not claim any benefit/land under any scheme prepared for the benefit of landless persons; and
 - (iv) Essentiality Certificate from the Industries Department indicating that the land proposed to be purchased is the minimum required for the proposed industrial unit.”

4. फार्म का जोड़ा जाना.—उक्त रूलज से संलग्न फार्म LR-XIV के पश्चात् निम्नलिखित नया फार्म LR-XV जोड़ा जाएगा, अर्थात्:—

"FORM LR-XV

Proforma for issuance of Essentiality certificate

(see sub-rule (3) No.1, 5, 6 & 7)

PART-I

Government of Himachal Pradesh

Department of _____

No. _____ Dated: _____ Place _____

ESSENTIALITY CERTIFICATE

This is to certify that land measuring _____ bighas as detailed below situated in Mohal/Mauza _____ Tehsil _____ District _____ is required by M/s _____ (complete address) for the purpose of _____.

Location of Proposed land	Khasra Nos.	Area
1	2	3

- (i) This land is recommended for transfer after ascertaining the eligibility of transferee as per the criteria laid down by the department.
- (ii) This land is recommended for transfer in favour of party as the same is essentially required for the aforesaid purpose. The aforesaid activities cannot be run in a lesser area.
- (iii) This land is recommended for transfer after obtaining all NOCs from all relevant departments/authorities and after ensuring adherence to any guidelines of the department, under Rule 38-A of the HP Tenancy and Land Reforms Rules.

Authority concerned.

Endst. No. _____ Dated: _____ Place _____

Copy to:—

1. The applicant.
2. The Principal Secretary (Revenue) to the Government of H.P. Shimla-2.
3. The Principal Secretary (Concerned Department).
4. The Deputy Commissioner, _____
5. The Labour Commissioner

Authority concerned.

PART-II

CHECK LIST FOR ESSENTIALITY CERTIFICATE

(see sub-rule (3) No.1, 5, 6 & 7)

1. Preliminary Project Report.
(A brief description of proposed activities may be accepted as Preliminary Project Report)

2. Copy Jamabandi & Tatima (latest).

3. NOC from Town & Country Planning Department/concerned Deptt.

(NOC from Town & Country Planning Department may be taken where the area is covered by a notification under Town and Country Planning Act. In other cases affidavit that the applicant will abide by the regulations applicable in the nearest area notified under the TCP Act may be taken as sufficient for issue of EC. Such NOC will not be required, for Agriculture/Horticulture purpose.)

4. NOC from Forest Department, IPH Department, Electricity Board.

(NOC from the IPH department may be taken in all cases where the water supply is proposed to be taken from an existing scheme or a bore well is proposed to be sunk in an area where as per notification by the IPH department their prior permission is required. In all other cases an affidavit may be taken that the applicant will arrange his own water supply and there is no restriction of IPH Department in this regard to issue EC. NOC will also not be required in all cases where State Level Single Window Clearance Authority, clearance has been obtained.

The NOC of Forest Department should only be procured in cases where the land proposed to be transferred attracts, the provisions of Forest Conservation Act, 1980 or the law laid down by the Hon'ble Supreme Court of India in this behalf with regard to compact wooded block above five hectares of private land.

NOC of HPSEBL need not be obtained in cases where the project has been approved/cleared by the State Level Single Window Clearance Authority or the requirement is below 100 KW.)

5. Site plan showing contours/constructions, roads, existing trees & distance of existing tress from construction and approximate distance of land in question from some prominent station.

6. NOC from the local body (urban or rural as the case may be) stating therein that the infrastructure and service provisions needs of the proposal have been considered and are not objected to.

7. Any other documents which the department may deem fit to ascertain the eligibility of applicant and suitability of land proposed to be transferred.

Note.—Documents at serial number 1 to 6 shall not be required in cases where land is proposed to be purchased for setting up of an industrial unit.”.

आदेश द्वारा,
तरुण श्रीधर,
प्रधान सचिव (राजस्व)।

[Authoritative English Text of this Department's Notification No.Rev.B.A. (3)- 3/2013, dated 01-07-2014 as required under clause (3) of article 348 of the Constitution of India].

REVENUE DEPARTMENT

NOTIFICATION

Shimla-2, the 1st July, 2014

No. Rev.B.A.(3)-3/2013.—In exercise of the powers conferred by section 122 of the Himachal Pradesh Tenancy and Land Reforms Act, 1972 (Act No.8 of 1974), the Governor, Himachal Pradesh proposes to make the following rules, further to amend the Himachal Pradesh Tenancy and Land Reforms Rules, 1975 as amended from time to time and the same are hereby published for the information of general public as required under section 123 of the Act *ibid*;

Any interested person who has any objection(s)/ suggestion(s) with regard to the proposed amendments, may send the same to the Principal Secretary (Revenue) to the Government of Himachal Pradesh, Shimla-171002, within a period of thirty days from the date of publication of these rules in the official Gazette (e-Gazette) Himachal Pradesh;

The objection(s) /suggestion(s), if any, received within the period stipulated above shall be duly considered by the Government before finalising these rules, namely:—

DRAFT RULES

1. Short title.—These rules may be called the Himachal Pradesh Tenancy and Land Reforms (Amendment) Rules, 2014.

2. Amendment 38-A.—In rule 38-A of the Himachal Pradesh Tenancy and Land of rule Reforms Rules, 1975 (hereinafter referred to as the 'said rules'),—

(a) after sub-rule (1), the following proviso shall be inserted, namely:—

“Provided that where land is proposed to be acquired for industrial unit which has been approved by the State Level Single Window Clearance and Monitoring Authority, the Director Industries shall forward such cases to the State Government for consideration alongwith Essentiality Certificate showing the location and area of land proposed to be acquired. The cases of plots falling in industrial estates or areas developed by the Industries Department or Himachal Pradesh State Industrial Development Corporation shall be dealt with in the like manner.”;

(b) in sub-rule (2),—

(iii) after clause (b), the following proviso shall be inserted, namely:—

“Provided that the applications for setting up of industrial unit, shall be considered and decided by the State Government within 15 days.”;

(iv) after clause (b), the following new clause (b-1) shall be inserted, namely:—

“(b-1) On receipt of applications from the Director Industries, under proviso to sub-rule (1), the State Government shall consider and decide such applications within 15 days. If application is allowed, the sanction shall be conveyed to the Collector

concerned with a copy to the Director Industries and the non-agriculturist concerned. On receipt of sanction, the non-agriculturist shall apply to the Collector concerned on Form LR-XIV alongwith relevant documents specified in Part-II thereof and the Collector shall examine the same under the provisions of section 118 of the Act, and if deems fit, he shall issue sanction giving therein the particulars of land, with a copy to the State Government for information. If the Collector comes to the conclusion that permission is not to be granted, he shall refer back the matter to the State Government alongwith detailed reasons for reconsideration. In any case the Collector shall clear such cases within a period of seven days from the date of receipt of all documents specified under these rules and thereafter the State Government shall again consider and decide the case accordingly.”;

(c) for sub-rule (3), the following sub-rule shall be substituted, namely:—

“(3) The permission under sub-rule (2) may be granted for any of the following purposes and subject to such scales, eligibility and conditions as specified against each purpose:—

Sl. No.	Purpose	Area	Conditions on transferor(s)	Eligibility of transferee (s)	Other conditions
1	2	3	4	5	6
1.	For agriculture or horticulture purpose or for both purposes.	An area not exceeding 4 acres only in rural area.	Shall not become landless/ houseless.	That the person is qualified to undertake such activity, to be certified by concerned department as per criteria laid down by that department.	As per proforma for Essentiality Certificate and Check list appended to these rules as Form LR-XV.
2.	For building residential house.	Upto 500 square metres.	Shall not become landless/ houseless.	1.(a) A person who on the commence-ment of this Act worked and continues to work for gain in an estate situated in Himachal Pradesh. b) A person working in the State for more than 30 years recommended by concerned local body for grant of permission. (c) Permanent Government Employees (Both State and Central Government including autonomous bodies, corporation which are substantively financed by them). 2. Padma Award/ Gallantry Award Winners.	Recommendations of Deputy Commissioner.

				3. Other persons subject to the satisfaction of the Government regarding the necessity and desirability for such permission after careful evaluation of the merit of each case.	
3.	Built up building or part thereof for residential purpose	Upto 500 square metres.	In case transferor is an agriculturist he shall not become landless/ houseless.	Any citizen of India including an OCI (Overseas Citizen of India) and legal entity registered in India under any law for the time being in force.	Recommendations of Deputy Commissioner.
4.	For construction of shop.	Upto 300 square metres.	Shall not become landless/ houseless.	(a) A person who on the commencement of this Act worked and continues to work for gain in an estate situated in Himachal Pradesh. (b) A person working in the State for more than 30 years recommended by concerned local body for grant of permission.	Recommendations of Deputy Commissioner.
5.	For industrial/ religious/ tourism/ apartment/ hydel project/ BT/ IT project purpose	Such area as may be certified by the Department concerned.	Shall not become landless/ houseless.	That the person is qualified to undertake such activity, to be certified by concerned department as per criteria laid down by that department.	As per proforma for Essentiality Certificate and Check list appended to these rules as Form LR-XV.
6.	For socially useful activities i.e. old age home, gausadan, health related activities, orphanages, education related or related to creation of sports facilities, etc.	Such area as may be certified by the department concerned.	Shall not become landless/ houseless.	That the person is qualified to undertake such activity, to be certified by concerned department as per criteria laid down by that department.	As above.

7.	Public use facilities normally undertaken for profit i.e. shopping malls, office complex, garage, cold storages, service stations, petrol pumps etc. and any other activity not covered above.	Such area as may be certified by the Department under whose control the activity falls.	Shall not become landless/ houseless.	That the person is qualified to undertake such activity, to be certified by concerned department as per criteria laid down by that department.	As above.
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Provided that the permission granted under this rule shall be valid for a period of one year from the date of issue of the orders of the State Government granting such permission:

Provided further that the State Government may for reasons to be recorded in writing, extend the said period.”.

3. Amendment of Form LR-XIV.—In Form LR-XIV appended to the ‘said rules’ for Part-II the following shall be substituted, namely:—

“PART-II

(DOCUMENTS TO BE ENCLOSED WITH THE APPLICATION FOR PERMISSION)

- (1) Latest copy of Jamabandi and tatima shajra.
- (2) Copy of agreement entered into by the transferor and transferee.
- (3) Affidavit of the transferor stating that he, after the proposed transfer, will not become landless, and if so he will not claim any benefit/land under any scheme prepared for the benefit of landless persons in the State.
- (4) No objection of all the co-sharers/tenants of the land proposed to be transferred in case of a joint holding where a particular Khasra No. or part thereof is proposed to be transferred in the form of affidavit stating that he/she has no objection in case land is transferred to proposed transferee. This affidavit will not be required in any case of transfer of a share in an entire joint holding.
- (5) In case of application under serial number (2) (3) or (4) of sub-rule (3) of rule 38-A, proof of being an eligible applicant:—
 - (i) for purpose at serial number 2 and eligibility below column number 5 in items 1. (a) & (b) and for purpose at serial number 4 certificate may be issued by a Naib-Tehsildar/Tehsildar/SDM/ADM/ADC/DC having jurisdiction over the area.
 - (ii) for purpose at serial number 2 and eligibility below column number 5 in item number 1. (c) in addition to (i) above, a Certificate from the department concerned.

- (iii) for purpose at serial number 2 and eligibility below column number 5 in item number 2, an attested copy of Award/certificate.
- (iv) for purpose at serial number 2 and eligibility below column number 5 in item number 3, the documents as may be asked by the Government for its satisfaction regarding the necessity and desirability to evaluate merit for such permission.
- (v) In case of any other applicant, Essentiality Certificate from the concerned department.
- (vi) In case of non-agriculturist seeking to sell any land or building purchased after obtaining permission under section 118, proof of utilization for the purpose for which permission was obtained from relevant department or local body concerned within the period allowed for utilization.
- (6). Notwithstanding anything contained above, for setting up an industrial unit only the following documents need to be attached with the application form:—
- (i) Latest copy of Jamabandi
- (ii) Tatima shajra.
- (iii) Affidavit of the transferor stating that after the proposed transfer of land for the proposed industrial unit, he/she will not become landless, and even if so he/she will not claim any benefit/land under any scheme prepared for the benefit of landless persons; and
- (iv) Essentiality Certificate from the Industries Department indicating that the land proposed to be purchased is the minimum required for the proposed industrial unit.”
- 4. Addition of Form LR-XV.**— After Form LR-XIV appended to the ‘said rules’ the following new Form LR-XV shall be added, namely:—

“FORM LR-XV

Proforma for issuance of Essentiality certificate

(see sub-rule (3) No.1, 5, 6 & 7)

PART-I

Government of Himachal Pradesh

Department of _____

No. _____ Dated: _____ Place _____

ESSENTIALITY CERTIFICATE

This is to certify that land measuring _____ bighas as detailed below situated in Mohal/Mauza _____ Tehsil _____ District _____ is required by M/s _____ (complete address) for the purpose of _____

Location of Proposed land	Khasra Nos.	Area
1	2	3

- (i) This land is recommended for transfer after ascertaining the eligibility of transferee as per the criteria laid down by the department.
- (ii) This land is recommended for transfer in favour of party as the same is essentially required for the aforesaid purpose. The aforesaid activities cannot be run in a lesser area.
- (iii) This land is recommended for transfer after obtaining all NOCs from all relevant departments/authorities and after ensuring adherence to any guidelines of the department, under Rule 38-A of the HP Tenancy and Land Reforms Rules. Authority concerned.

Endst. No. _____ Dated: _____ Place _____

Copy to:-

1. The applicant.
2. The Principal Secretary (Revenue) to the Government of H.P. Shimla-2.
3. The Principal Secretary (Concerned Department).
4. The Deputy Commissioner, _____
5. The Labour Commissioner

Authority concerned.

PART-II
CHECK LIST FOR ESSENTIALITY CERTIFICATE
(see sub-rule (3) No.1, 5, 6 & 7)

1. Preliminary Project Report.
(A brief description of proposed activities may be accepted as Preliminary Project Report)
2. Copy Jamabandi & Tatima (latest).
3. NOC from Town & Country Planning Department/concerned Deptt. (NOC from Town & Country Planning Department may be taken where the area is covered by a notification under Town and Country Planning Act. In other cases affidavit that the applicant will abide by the regulations applicable in the nearest area notified under the TCP Act may be taken as sufficient for issue of EC. Such NOC will not be required, for Agriculture/Horticulture purpose.)
4. NOC from Forest Department, IPH Department, Electricity Board.

(NOC from the IPH department may be taken in all cases where the water supply is proposed to be taken from an existing scheme or a bore well is proposed to be sunk in an area where as per notification by the IPH department their prior permission is required. In all other cases an affidavit may be taken that the applicant will arrange his own water supply and there is no restriction of IPH Department in this regard to issue EC. NOC will also not be required in all cases where State Level Single Window Clearance Authority, clearance has been obtained.

The NOC of Forest Department should only be procured in cases where the land proposed to be transferred attracts, the provisions of Forest Conservation Act, 1980 or the law laid down by the Hon'ble Supreme Court of India in this behalf with regard to compact wooded block above five hectares of private land.

NOC of HPSEBL need not be obtained in cases where the project has been approved/cleared by the State Level Single Window Clearance Authority or the requirement is below 100 KW).

5. Site plan showing contours/constructions, roads, existing trees & distance of existing trees from construction and approximate distance of land in question from some prominent station.
6. NOC from the local body (urban or rural as the case may be) stating therein that the infrastructure and service provisions needs of the proposal have been considered and are not objected to.
7. Any other documents which the department may deem fit to ascertain the eligibility of applicant and suitability of land proposed to be transferred.

Note.—Documents at serial number 1 to 6 shall not be required in cases where land is proposed to be purchased for setting up of an industrial unit.”.

By order,
Sd/-
TARUN SHRIDHAR
Principal Secretary.

ब अदालत श्री सूरज सिंह नेगी, कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

श्रीमती मुंगडी देवी पुत्री स्व० श्री रामू गांव राहणू, फाटी राहणू, ग्राम पंचायत राहणू, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश वादी।

बनाम

आम जनता

प्रतिवादी।

उनवान मुकदमा : प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती मुंगडी देवी पुत्री स्व० श्री रामू गांव राहणू, फाटी राहणू, ग्राम पंचायत राहणू, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश ने उक्त अधिनियम के अन्तर्गत प्रार्थना-पत्र गुजार कर निवेदन किया है कि उसके पिता रामू की मृत्यु अज्ञानता के कारण व ईलाका गैर रहने से निश्चित अवधि में दर्ज नहीं करा सकी हूं। उसके पिता की मृत्यु 12-3-1996 को हुई है। जिस विषय में उन्होंने अपना ब्यान हलफिया भी प्रस्तुत किया है। सायल ने ग्राम पंचायत राहणू के जन्म एवं मृत्यु रिकॉर्ड/रजिस्टर में अपने पिता की मृत्यु तिथि दर्ज करने का अनुरोध कर रखा है।

इस इशतहार द्वारा आम जनता को सूचित किया जाता है कि किसी भी व्यक्ति को रामू पुत्र सिबू की मृत्यु तिथि ग्राम पंचायत राहणू में दर्ज करने के लिए एतराज हो तो वह तिथि 30-7-2014 को हमारे

कार्यालय में हाजिर होकर लिखित व मौखिक एतराज प्रस्तुत करें। उक्त तारीख के बाद कोई भी एतराज मान्य नहीं होगा और समझा जाएगा कि उक्त मृत्यु तिथि स्व० रामू की ग्राम पंचायत राहणू में दर्ज करने बारे किसी को कोई एतराज नहीं है तथा सचिव ग्राम पंचायत राहणू को मृत्यु तिथि दर्ज करने का आदेश पारित किया जाएगा।

आज दिनांक 12-6-2014 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

सूरज सिंह नेगी,
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

ब अदालत श्री सूरज सिंह नेगी, कार्यकारी दण्डाधिकारी, निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश

श्री ईन्द्र सिंह पुत्र श्री डोलू राम, गांव झलैर, फाटी झलैर, ग्राम पंचायत सराहन, तहसील निरमण्ड,
जिला कुल्लू, हिमाचल प्रदेश वादी।

बनाम

आम जनता

प्रतिवादी।

उनवान मुकद्दमा : प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री ईन्द्र सिंह पुत्र श्री डोलू राम, गांव झलैर, फाटी झलैर, ग्राम पंचायत सराहन, तहसील निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश ने उक्त अधिनियम के अन्तर्गत प्रार्थना-पत्र गुजार कर निवेदन किया है कि उसकी पुत्री प्रिया बंधू का जन्म व नाम अज्ञानता के कारण व ईलाका गैर रहने से निश्चित अवधि में दर्ज नहीं करा सका हूं। उसकी पुत्री प्रिया बंधू का जन्म 27-7-2013 को हुआ है। जिस विषय में उसने अपना ब्यान हल्फिया भी प्रस्तुत किया है। सायल ने ग्राम पंचायत सराहन के जन्म एवं मृत्यु रिकॉर्ड/रजिस्टर में दर्ज करने का अनुरोध किया है।

इस इश्तहार द्वारा आम जनता को सूचित किया जाता है कि यदि किसी भी व्यक्ति को प्रिया बंधू पुत्री श्री ईन्द्र सिंह का नाम व जन्म तिथि ग्राम पंचायत में दर्ज करने के लिए एतराज हो तो वह तिथि 7-7-2014 को हमारे कार्यालय में हाजिर होकर लिखित व मौखिक एतराज प्रस्तुत करें। उक्त तारीख के बाद कोई भी एतराज मान्य नहीं होगा और समझा जाएगा कि उक्त नाम व जन्म तिथि ग्राम पंचायत सराहन में दर्ज करने बारे किसी को कोई एतराज नहीं है तथा सचिव ग्राम पंचायत सराहन को नाम व जन्म तिथि पंजीकृत करने का आदेश पारित किया जाएगा।

आज दिनांक 21-6-2014 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

सूरज सिंह नेगी,
कार्यकारी दण्डाधिकारी,
निरमण्ड, जिला कुल्लू, हिमाचल प्रदेश।

नाम परिवर्तन

मैं, तोता राम उर्फ शेर सिंह पुत्र श्री मान दास, निवासी गांव जऊणी, डाकघर धवेहड़, उप-तहसील बालीचौकी, मण्डी, हिमाचल प्रदेश बयान करता हूं कि मैंने अपना नाम बदलकर शेर सिंह रख लिया है। भविष्य में मुझे इसी नाम से जाना जाए।

शेर सिंह
निवासी गांव जऊणी, डाकघर धवेहड़,
उप-तहसील बालीचौकी, मण्डी, हिमाचल प्रदेश।